

**CITY OF STOUGHTON
POLICY STATEMENT
ALCOHOL LICENSE (OPERATORS) APPLICATIONS**

PURPOSE

In order to provide for an effective and consistent system of alcohol licensing that protects the public safety and is applied in a uniform and equitable manner, the City Council has adopted the following written policy to govern the granting of operators' licenses pursuant to Chapter 125 of the Wisconsin Statutes.

**APPROVAL AND ISSUANCE OF ORIGINAL OPERATORS
(BARTENDERS) LICENSES**

- A. The Police Department will conduct a records check, including criminal and traffic, of all applicants for operators' licenses. If necessary, the records check may include an interview with the applicant or contact with other jurisdictions or third parties to verify or investigate information obtained in the records check.

- B. When the records check reveals that the application is not violative of the standards requiring a personal appearance before the Public Safety Committee, the Police Chief, or the Police Chief's designee, shall forward the application to the City Clerk, or the City Clerk's designee, with a recommendation that the application be approved. If all other application requirements are satisfied, the City Clerk, or the City Clerk's designee, shall approve the application and issue the operator (bartender) license. When the records check reveals information regarding previous conviction records, the Police Chief or his/her designee may recommend a one year restricted license. The City Clerk shall phase in the process for incorporating a 2 year Operator's license application/renewal policy as she deems administratively efficient. The due date for Operator's license applications shall be turned in by May 15 for timely processing.

- C. Consistent with the provisions of Wis. Stat. Secs. 111.335 and 125.17, the records check conducted by the police department shall determine whether an applicant's conviction record reveals any of the factors in section D of this policy. If so, an operator's license may not be issued by the City Clerk, or the City Clerk's designee, without the consideration by the Public Safety Committee and Common Council in compliance with section E below.

- D. Factors pertaining to conviction record:
 - 1 Any unpardoned felony conviction.

2. Any arrest or conviction for alcohol violation or substantially related offenses within the last 12 months.
3. Any two or more arrests or convictions for alcohol violations or substantially related offenses within the last five years.
4. Any drug-related convictions within the last five years.
5. Any conviction within the last twenty-four months which involve resisting arrest, battery to a police officer or obstructing justice.
6. At least two convictions in the last twenty-four months for disorderly behavior type offenses if they occurred with activity at a licensed alcohol establishment (should be indicated on the application).
7. Any incomplete, misleading or falsified application when the incomplete, misleading or falsified information provided by the applicant pertains to either the identification of the applicant or to any matter occurring within five years prior to the date of application. If an application is incomplete, the application will be stamped incomplete and returned to applicant for completion. Applicants will be subject to pay the fee again. Fees are non-refundable.
8. Any other charge, conviction, or incident which, in the judgment of the police chief or his/her designee, would substantially relate to the circumstances of employment as an operator or to activity at a licensed alcohol establishment.
9. Applicant must notify the police chief or his/her designee in writing for any convictions received while holding an Operator's license.

E. When an application or records check reveals one or more of the factors contained in paragraph D above, the Police Chief, or the Police Chief's designee, shall forward the application to the City Clerk, or the City Clerk's designee, for further review by the Public Safety Committee.

The Clerk, or the Clerk's designee, shall forward the license application and any related materials to the Public Safety Committee. The City Clerk, or the City Clerk's designee, shall provide notice to the applicant in writing that he or she must appear before the Committee for individual review of the application. The notification to the applicant shall state that failure to appear before the Committee may result in denial of the application.

The Committee shall, after interview of the applicant, make a recommendation to either grant or not grant an operator's license to the Common Council, which shall make the final decision.

The only exception to this section is if the applicant is applying for a renewal license and the record check does not reveal any new violations since the previous application, and if all other application requirements are satisfied, the City Clerk, or the City Clerk's designee, shall approve the application and issue the operator (bartender) license.

APPROVED BY THE COMMON COUNCIL: March 2011.